**HIGH COURT OF UTTARANCHAL AT NAINITAL.**

Writ Petition No. 919 (S/S)2004
(Old no. 37959/1994)

Sri Devi Prasad Dobhal S/o Sri Badri Prasad Dobhal,
R/o village Jakhand,
District Tehri Garhwal. --------Petitioner.

Vs.

1. State of U.P. through Special Secretary,
   Kshetriya Vikas Vibhag, Anubhag-II U.P., Lucknow,
2. The District Magistrate, Tehri Garhwal,
3. The Chief Engineer, Minor Irrigation Department,
   U.P. Lucknow,
4. Executive Engineer, Minor Irrigation Department,
   Garhwal Mandal, Dehradun,
5. Addl. District Magistrate (Vikas)
   Tehri Garhwal, ------Respondents.

Sri Rakesh Thapaliyal, leaned counsel for the petitioner.
Learned Standing Counsel for respondent nos. 2 to 5.

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Rakesh Thapaliyal, learned counsel for the petitioner and learned Standing Counsel for the State/ respondent nos. 2 to 5.

2. This writ petition has been filed by the petitioner for the following reliefs:-

i) A writ, or order or direction in the nature of mandamus commanding the respondent to permit the petitioner to discharge the duties of Junior Engineer (Minor Irrigation),

ii) A writ, order or direction in the nature of mandamus commanding the respondents to pay the petitioner his regular monthly salary month by month alongwith the arrears of salary to the petitioner,

iii) Any other writ, order or direction as this Hon'ble Court may deem fit and proper in the circumstance of the present writ petition.

iv) Award costs of the writ petition to the petitioner.

3. Counsel for the petitioner has submitted that the petitioner was appointed as Junior Engineer (Minor Irrigation) by the District Magistrate, Tehri Garhwal for a particular period sometimes in the year 1988. Lateron, the said appointment was extended from time to time. Thereafter, vide order dated 11th September 1990, the petitioner was appointed on Ad-hoc basis till 28th February 1991 and after this date, the petitioner is not in the service. In all, the petitioner has served with the Department for about 5 ½ Years.

4. From perusal of the record, it appears that the petitioner has already represented before the Superintending Engineer, Minor Irrigation, Division Pauri and the Superintending Engineer vide letter dated 11th June 2002 has forwarded the case of the petitioner, alongwith his recommendations, to the Government.

5. Keeping in view the facts narrated above, it is expected from the respondents that they will take decision on the recommendations made by the Superintending Engineer, Minor Irrigation, Division Pauri vide its letter dated 11th June 2002, in accordance with law.

The writ petition is disposed of accordingly.

**(M.M. Ghildiyal, J.)**

May 19, 2006:
NCM: